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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/729,793

12/05/2003

Robert E. Tolbert JR.

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04/17/2008

GARDNER GROFF GREENWALD & VILLANUEVA, P.C.

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SUITE 800

ATLANTA, GA 30339

EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT

PAPER NUMBER

2157

MAIL DATE

DELIVERY MODE

04/17/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/729,793	Applicant(s) TOLBERT, ROBERT E.	
	Examiner HUSSEIN A. EL CHANTI	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-9, 12-16, 19 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-9, 12-16, 19 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
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| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to amendment received on Jan. 23, 2008. Claims 1-3, 5-9, 12-16, 19 and 21 were amended. Claims 4, 10-11, 17-18 and 20 were canceled. Claims 1-3, 5-9, 12-16, 19 and 21 are pending examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-9, 12-16, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baekelmans et al., U.S. Patent No. 7,080,141 (referred to hereafter as Baek) in view of Ramberg.

As to claims 1, 12 and 16, Baek teaches a method for automated handling of a service problem reported by a user of a device, comprising the steps of:

receiving identification information identifying the device (see col. 3 lines 15-61);

receiving information about system conditions associated with the service problem (see col. 2 lines 52-col. 3 lines 7);

identifying a specific nature of the service problem by comparing the system condition information to a database of known problems (see col. 3 lines 1-7); and

automatically effecting a corrective action responsive to the specific nature of the service problem without human intervention wherein the collective actions includes

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adjustment of settings of one or more network components through the execution of computer instructions that are communicated to the one or more network components (see col. 4 lines 25-32).

Baek does not explicitly teach that the device is a wireless mobile device. However the use of mobile devices is very well known in the art as shown in the system of Ramberg. It would have been obvious for the one of the ordinary skill in the art at the time of the invention to implement the use of wireless devices as taught by Ramberg because doing so would allow the user to access the internet and fix the client computer from any geographic location and therefore giving the client more freedom and satisfaction with regards to the location of the device.

As to claim 2, Baek teaches the method as recited in claim 1, in which the step of prompting the user of the device to input identification information (see col. 4 lines 15-25).

As to claims 3, 13 and 19, Ramberg teaches the wireless device is a mobile telephone (see fig. 7).

As to claims 5, 15 and 21, Baek teaches the method as recited in claim 1, wherein the one or more components comprise a switch wherein the corrective action includes adjusting the setting of the switch (see col. 5 lines 23-55).

As to claim 6, Baek teaches the method of claim 5 wherein the computer instructions are communicated using Telnet (see col. 6 lines 46-57).

As to claims 7 and 14, Baek teaches the method as recited in claim 1, in which the corrective action includes downloading of certain settings or software updates to the device (see col. 5 lines 62-col. 6 lines 2).

As to claim 8, Baek teaches the method as recited in claim 1, in which contact is established between the device customer and the computer server through a computer network (see col. 5 lines 1-22).

As to claim 9, Baek teaches the method as recited in claim 8, in which the computer network is the Internet (see col. 5 lines 1-22).

3. Applicant's arguments have been fully considered but are moot in view of the new grounds of rejection.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUSSEIN A. EL CHANTI whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hussein Elchanti

April 12, 2008

/Ario Etienne/

Supervisory Patent Examiner, Art Unit 2157